

REMARKS

Claims 1-10, 12-17, 19-21, and 23-28 are now pending in this application. Claims 11, 18 and 22 have been canceled by this amendment. Each of the pending claims is believed to define an invention that is novel and unobvious over the cited references.

Claims 11, 21, 23, 31, 33 and 38 have been rejected under 35 U.S.C. 112, second paragraph as being indefinite. Claim 11 has been canceled and the remaining rejected claims have been amended to correct the informalities noted by the Examiner. It is respectfully submitted that all pending claims are in all aspects in compliance with 35 U.S.C. 112, second paragraph. Therefore, the withdrawal of this rejection is respectfully requested.

Claims 1-3, 5-14, 16-21, 24 and 25 have been rejected under 35 U.S.C. 102(a) as anticipated by or in the alternative under 35 U.S.C. 103(a) as obvious over Kelly et al. '911.

Independent claim 1 has been amended to recite that the deflectable panel has no reinforcement ribs or grooves. In comparison, the panels of Kelly et al. include a groove such as inset reinforcement rib 44. Independent claim 1 is now distinguished over Kelly et al.

Independent claim 12 has been amended to incorporate the subject matter of allowable claim 22 and any intervening claims.

In view of the above, it is respectfully submitted that independent claims 1 and 12 and the claims depending therefrom are in allowable form. Therefore the withdrawal of this rejection is respectfully requested.

Claims 12-14, 16, 17, 24, 25 and 27-38 have been rejected under 35 U.S.C. 102(a) as anticipated by or in the alternative under 35 U.S.C. 103(a) as obvious over Melrose et al. '491.

As noted above, independent claim 12 has been amended to incorporate the subject matter of allowable claim 22. Therefore, independent claim 12 and claims depending therefrom are now in allowable form.

Independent claim 27 has been amended to recite that the deflectable panels have an exterior surface and interior surface. The deflectable panels pass through at least three curves including a first curve having a first constant radius, a second curve having a second varying radius, and a third curve having a third constant radius that is lesser than the first radius. An entire area of the interior surface of the deflectable panel is substantially smooth.

In comparison, Melrose et al., make no mention of the three curves now recited in independent claim 27. Accordingly, it is respectfully submitted that independent claim 27 and claims depended therefrom are now allowable form.

In view of the above, it is respectfully submitted that the cited reference neither anticipates nor teaches or suggests the claimed invention. Therefore, the withdrawal of this rejection is respectfully requested.

Claims 1-5 have been rejected under the judicially created doctrine of obvious type double patenting. A Terminal Disclaimer is submitted to overcome this rejection.

Claims 15, 22, and 26 have been objected to as being depended upon a rejected based claim, but would be allowable if rewritten in independent form including all the limitations of the base claim and any intervening claims.

In view of the above, it is respectfully submitted that all pending claims are in allowable form. Accordingly, early issuance of a Notice of Allowance is respectfully solicited.

If the Examiner is of the opinion that the prosecution of this application would be advanced by a personal interview, the Examiner is invited to telephone undersigned counsel to arranged for such an interview.

Application No.: 10/682,023

Docket No.: 29953-190092

The Commissioner is authorized to charge any fee necessitated by this Amendment to our Deposit Account No. 220-0261.

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Respectfully submitted,

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